

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

**HENDERSON APARTMENTS
TENANT LP,**

Plaintiff

-vs-

**TRAVELERS EXCESS AND SURPLUS
LINES COMPANY and ROSCOE
PROPERTIES, INC. D/B/A ROSCOE
PROPERTY MANAGEMENT,
*Defendant***

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A-23-CV-00195-JRN

ORDER

Before the Court in the above-entitled cause of action is the Report and Recommendation of United States Magistrate Judge Dustin Howell regarding Plaintiff's Motion to Remand, filed March 23, 2023 (Dkt. 6), and the associated response and reply briefs. This Court referred this cause to the United States Magistrate Judge for findings and recommendations. The Magistrate Judge filed his Report and Recommendation on September 14, 2023. *See* Dkt. 28. On September 28, 2023, Plaintiff timely filed objections to the recommendation (Dkt. 31), and on October 16, 2023, filed a Notice of New Authority (Dkt. 34).


As noted, the Magistrate Judge issued his Report and Recommendation on September 14, 2023, and on the same date, both parties were served with copies of the Report and Recommendation via certified mail. A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because the Plaintiff timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so,

and after careful consideration of Plaintiff's Notice of New Authority (Dkt. 34), the Court overrules the parties' objections and adopts the report and recommendation.

IT IS THEREFORE ORDERED that the Court hereby **ADOPTS** the Report and Recommendation that the United States Magistrate Judge has filed in this cause.

IT IS FURTHER ORDERED that Plaintiff's Motion to Remand (Dkt.6), is **DENIED**.

SIGNED this 12th day of January, 2024.



JAMES R. NOWLIN
SENIOR U.S. DISTRICT JUDGE